

Exhibit B – Stipulated Permit Language on the use and Reference to the Stormwater Manuals in the Industrial Stormwater General Permit

S9. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

All facilities covered under this permit must have a Stormwater Pollution Prevention Plan (SWPPP) specifically developed for their facility. The SWPPP must be consistent with permit requirements, fully implemented as directed by permit conditions, and updated as necessary to maintain compliance with permit conditions. The SWPPP must include the BMPs necessary to provide all known, available and reasonable methods of prevention, control, and treatment, AKART. It must also include any additional BMPs as necessary to comply with state water quality standards. New facilities must have a SWPPP developed and implemented before beginning operation. However, some components of a SWPPP are added over time (e.g. results of dry and wet weather inspections) and cannot be included in the first SWPPP. The Permittee must update the SWPPP as required by permit conditions.

The technical basis for the selection of all stormwater BMPs must be documented within the Stormwater Pollution Prevention Plan. The SWPPP must document how stormwater BMPs were selected, the pollutant removal performance expected from the BMP being selected and the technical basis which support the performance claims for the BMPs being selected, and an assessment of how the selected BMP will comply with state water quality standards, satisfy the state AKART requirements, and the federal technology-based treatment requirements under 40 CFR part 125.3 (the *demonstration approach*).

Permittees which choose to follow the stormwater management practices contained in approved stormwater technical manuals (*the presumptive approach*), including the proper selection, implementation, and maintenance of appropriate best management practices are presumed to have satisfied this demonstration requirement and do not need to include within the Stormwater Pollution Prevention Plan the technical basis which support the performance claims for the BMPs being used. Unless there is site-specific information to indicate otherwise, permittees which choose the presumptive approach are presumed to be in compliance with standards as set forth in S7. The proper use and selection of approved stormwater technical manuals is outlined in S9.A.5. Permittees choosing the presumptive approach may select BMPs which are functionally equivalent to BMPs in the Manual but must document within the SWPPP their functional equivalency.

A. General Requirements

The Permittee shall retain the SWPPP on-site or within reasonable access to the site and make it immediately available, upon request, to Ecology. If discharge is to a municipal storm sewer system, the municipal operator of the storm sewer system shall also have access to the SWPPP. The responsible party as identified in General

Condition G17, Signatory Requirements, shall sign the SWPPP and significant updates.

1. Illicit Discharges:

The SWPPP shall include measures to identify and eliminate the discharge of process wastewater, domestic wastewater, noncontact cooling water, and other illicit discharges, to stormwater drainage systems, or to surface waters of the state of Washington.

2. Ecology Request:

Ecology may request a current copy of or update to the stormwater pollution prevention plan (SWPPP). The Permittee must submit their SWPPP/update to Ecology within two (2) weeks of receiving the request or at a later date if approved by Ecology.

3. Public Access:

Ecology will maintain a copy of the SWPPP for each industrial facility at the appropriate Ecology regional office. The public may view a copy of a Permittee's SWPPP at the Ecology regional office.

4. Enhanced/Additional Best Management Practices (BMPs):

The Permittee shall provide a schedule in the SWPPP for implementation of any additional or enhanced BMPs that are necessary because of a notice from Ecology, facility changes, or self-inspection. Unless otherwise authorized by Ecology in writing, a schedule for implementation (plan) must be completed and entered into the SWPPP within 30 days of a notice/determination of necessary improvements. BMPs identified in the plan must be implemented with due diligence. Unless otherwise authorized by Ecology in writing, noncapital BMPs shall be completed within two weeks after completing the plan and capital BMPs within six months. Enhanced/additional BMPs will comply with Special Condition S9.A.5. below. Complying with this provision does not limit the potential liability for enforcement action where the Permittee has failed to implement required BMPs or where stormwater discharges violate water quality standards.

Ecology may issue a notice to the Permittee when the SWPPP does not meet one or more of the minimum requirements of Special Condition S9 or when it is not adequate to assure compliance with standards. The Permittee shall modify the SWPPP and the BMPs to correct the deficiencies identified in the notice.

Ecology may require additional BMPs where the Permittee exceeds benchmark values for required sampling.

The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation or maintenance of any BMP which cause(s) the SWPPP to be less effective in controlling the pollutants.

This permit requires the Permittee to conduct visual monitoring and this monitoring may identify BMPs that are inadequate or pollutant sources that are not identified or poorly described in the SWPPP. When visual monitoring identifies inadequacies in the SWPPP, due to the actual discharge of or potential to discharge a significant amount of any pollutant, the SWPPP must be modified and BMPs adjusted to correct the deficiency.

5. Proper Selection And Proper Use of Stormwater Management Manuals (SWMM):

Permittees choosing to use the Presumptive Approach in selecting BMPs from approved stormwater technical manuals must clearly state which of the approved stormwater technical manuals the BMPs in their SWPPP are based on. Permittees who choose not to use this approach must demonstrate in their SWPPP the technical basis for the BMPs selected as set forth in the introductory paragraphs of this section, S9.

For permittees which choose to follow the presumptive approach, the approved and applicable stormwater management manuals are:

The Stormwater Management Manual for Western Washington is the applicable SWMM for all facilities west of the crest of the Cascade Mountains as of February 1, 2002. The Stormwater Management Manual for Eastern Washington will become available sometime after the effective date of this permit. Facilities east of the crest of the Cascade Mountains shall use the western Washington manual as applicable or other appropriate manuals until the eastern Washington edition is available. Other Manuals and other technical guidance documents approved by Ecology are listed on Ecology's website.

New facilities shall apply the minimum technical requirements and BMPs appropriate for their facility as found in the most recent published edition of the SWMM or other equivalent manuals that are available when selecting BMPs for their facility.

Existing facilities would not normally be required to redo their SWPPP and BMPs to incorporate changes to BMPs that were designed and implemented according to an earlier version of the SWMM. However, existing facilities shall apply the applicable technical standards and BMPs as found in the most recent published edition of the SWMM, or other equivalent manuals, that are available when updating their SWPPP that are appropriate for their facility when selecting new BMPs as a result of a significant process change or other action that requires a modification of permit coverage under S1.D, or when additional BMPs are required to maintain compliance with permit conditions.

Facilities undergoing new development or redevelopment will apply the applicable minimum requirements of the appropriate, most current SWMM available when beginning final design of the project to the development site.

All treatment BMPs that include the addition of chemicals to provide treatment must be approved by Ecology before implementation.

6. Other Pollution Control Plans:

The Permittee may incorporate by reference applicable portions of plans prepared for other purposes at their facility. Plans or portions of plans incorporated into a SWPPP become enforceable requirements of this permit and must meet the availability requirements of the SWPPP (see S9.A., S9A.2. and 3.). A Pollution Prevention Plan prepared under the Hazardous Waste Reduction Act, Chapter 70.95C RCW, is an example of such a plan.

B. SWPPP Contents and Requirements

The SWPPP shall contain a detailed assessment of the facility and a detailed description of the best management practices (BMPs).

1. Facility Assessment:

The facility assessment must include a description of the facility, a detailed site map, an inventory of facility activities and equipment that contribute to or have the potential to contribute pollutants to stormwater, and an inventory of materials that contribute to or have the potential to contribute pollutants to stormwater. The assessment must be as complete as possible (including incidental sources such as tire wear or equipment leaks) and must be updated to reflect substantive changes at the facility. The SWPPP must address each potential pollutant source of a significant amount with best management practices that will eliminate or reduce the potential to contaminate stormwater through source control or treatment.

- a. **Facility Description:** The facility description will describe the industrial activities conducted at the site, the general layout of the facility including buildings and storage of raw materials, and the flow of goods and materials through the facility. It should include seasonal variations including peaks in production and any changes in work based on season or weather (e.g. moving work outdoors on dry days).
- b. **Site Map:** The site map must be drawn to an identified scale or include relative distances between significant structures and drainage systems. It must provide identifiers (names) of significant features and be of sufficient size and detail to identify the following: The site map will show the stormwater drainage and discharge structures, an outline of the stormwater drainage areas for each stormwater discharge point (including discharges to ground water), paved areas and buildings, areas of pollutant contact (actual or potential), surface water locations (including wetlands and drainage ditches), areas of existing and potential soil erosion (in a significant amount) and vehicle service areas;

Lands and waters adjacent to the site shall also be depicted where helpful in identifying discharge points or drainage routes.

- c. **Industrial Activities:** The inventory of industrial activities will identify all areas associated with industrial activities (see Appendix #1-Section A) which have been or may potentially be sources of significant amounts of pollutants, including the following:
 - i) Loading and unloading of dry bulk materials or liquids.
 - ii) Outdoor storage of materials or products.
 - iii) Outdoor manufacturing and processing.
 - iv) Dust or particulate generating processes.
 - v) Roofs or other surfaces exposed to air emissions from a manufacturing building or a process area.
 - vi) On-site waste treatment, storage or disposal.
 - vii) Vehicle and equipment fueling, maintenance and/or cleaning (includes washing).
 - viii) Roofs or other surfaces composed of materials that may be mobilized by stormwater (e.g. galvanized or copper roofs).
 - d. **Inventory of Materials:** The inventory of materials will list all the types of materials handled at the site that potentially may be exposed to precipitation or runoff and could result in stormwater pollution of a significant amount. The inventory will include a short narrative for each material describing the potential of the pollutant to be present in stormwater discharges. The Permittee will update this narrative when data become available to verify the presence or absence of these pollutants. The inventory will include a narrative description of any potential sources of pollutants of a significant amount from past activities; significant materials that were previously handled, treated, stored, or disposed of in a manner to allow ongoing exposure to stormwater. Include the method and location of on-site storage or disposal; and a list of significant spills and significant leaks of toxic or hazardous pollutants.
2. **Monitoring Plan:** The SWPPP will include a monitoring plan. The plan must identify all the points of discharge to surface water or to a storm drain system. If there is more than one point of discharge then the plan must include a discussion of representative sampling and how the Permittee has determined which points of discharge will be monitored. The discussion must include a means to estimate the volume/rate of discharge from each discharge point based on storm duration,

intensity and quantity, differences in exposure to pollutants, pollutants likely to be in each discharge and a relative comparison of probable pollutant concentrations. The plan must identify who is responsible for monitoring and how monitoring will be conducted to comply with permit conditions. The monitoring plan will address stormwater sampling requirements and visual inspections. The plan must include the following:

- a. Identification of points of discharge
 - b. A check list for visual monitoring
 - c. Who conducts stormwater sampling
 - d. Where samples will be taken
 - e. Parameters for analysis
 - f. Procedures for sample collection and handling
 - g. Procedures for sending samples to lab
 - h. Procedure for submitting results to Ecology
3. **BMPs:** The SWPPP must include a description of the best management practices (BMPs) that are necessary for the facility to eliminate or reduce the potential to contaminate stormwater. BMPs must also be considered to regulate peak flow and volume of stormwater discharge. The SWPPP must document how stormwater BMPs were selected, the pollutant removal performance expected from the BMP being selected and the technical basis that supports the performance claims for the BMPs being selected, and an assessment of how the selected BMP will comply with state water quality standards, satisfy the state AKART requirements, and the federal technology-based treatment requirements under 40 CFR part 125.3.

Permittees which choose to follow the stormwater management practices, or their functional equivalents, contained in approved stormwater management manuals, including the proper selection, implementation, and maintenance of appropriate best management practices are presumed to have satisfied this demonstration requirement and do not need to include within the Stormwater Pollution Prevention Plan the technical basis which support the performance claims for the BMPs being used. The proper use and selection of approved stormwater management manuals is outlined in S9.A.5.

BMPs shall be included to comply with the following requirements:

- a. **Operational Source Control BMPs:** Operational BMPs are common to all facilities. The categories listed below are a minimum set of BMPs that must be included in the SWPPP.

- i) Pollution Prevention Team: The SWPPP will include a BMP that identifies specific individuals by name or by title within the plant organization who are responsible for developing the SWPPP and assisting the plant manager in its implementation, maintenance, and modification. The activities and responsibilities of the team should address all aspects of the facility's SWPPP.
- ii) Good Housekeeping: The SWPPP will include a BMP(s) that defines ongoing maintenance and cleanup, as appropriate, of areas which may contribute pollutants to stormwater discharges. The SWPPP will include the schedule/frequency for completing each housekeeping task.
- iii) Preventive Maintenance: The SWPPP will include a BMP(s) to inspect and maintain the stormwater drainage and treatment systems (if any), and plant equipment and systems that could fail and result in contamination of stormwater. The SWPPP will include the schedule/frequency for completing each maintenance task.
- iv) Spill Prevention and Emergency Cleanup Plan: The SWPPP will include BMP(s) to identify areas where potential spills can contribute pollutants to stormwater discharges. The BMP(s) must specify material handling procedures, storage requirements, cleanup equipment and procedures as appropriate. The SWPPP may include excerpts of plans prepared for other purposes (e.g., Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the CWA), where those excerpts meet the intent of this requirement.
- v) Employee Training: The SWPPP will include a BMP(s) to provide SWPPP training for employees who have duties in areas of industrial activity subject to this permit. At a minimum, training shall include an overview of what is in the SWPPP and how employees make a difference in complying with the SWPPP and preventing contamination of stormwater. The training must address spill response procedures, good housekeeping, and material management practices. The BMP(s) must provide the content of the training, how training will be conducted and the frequency/schedule for assuring employees receive training. Annual training is the minimum acceptable frequency. A log of the dates on which specific employees receive training shall be kept and included in the SWPPP.
- vi) Inspections and Recordkeeping: The SWPPP will include documentation of procedures to assure compliance with permit requirements for inspections and recordkeeping. At a minimum it will:

- identify plant personnel who will inspect designated equipment and plant areas as required in Special Condition S4, Monitoring Requirements,
 - provide a tracking or follow-up procedure to ensure that a report is prepared and any appropriate action taken in response to visual monitoring,
 - define how Permittee will comply with signature requirements and records retention identified in Special Condition S5, Reporting and Recordkeeping Requirements, and
 - include certification of compliance with the SWPPP.
- b. **Structural Source Control BMPs:** Structural source control BMPs must be provided to eliminate or minimize the exposure of stormwater to pollutants. Volume IV of Ecology's SWMM provides useful information for source control BMPs for different industrial activities. For permittees choosing to use approved SWMMs or other technical guidance documents approved by Ecology as a means to meet this requirement the BMPs listed as “applicable” are considered the minimum set of required BMPs for an industrial activity. Equivalent BMPs may be selected which result in equal or better quality of stormwater discharge.
- c. **Treatment BMPs:** Treatment BMPs are required when operational and source control BMPs are not adequate to reduce pollutants below a significant amount and maintain compliance with water quality standards. At a minimum the SWPPP must include a narrative that describes how the Permittee determined if treatment BMPs are/are not required. When treatment BMPs are required, the permittee may refer to the Ecology SWMM, Volume V, or equivalent manual, for guidance on selecting treatment BMPs.
- d. **Stormwater Peak Runoff Rate and Volume Control BMPs:** Stormwater runoff from new development and redevelopment shall be evaluated to determine if flow control is necessary to; satisfy the state AKART requirements, prevent pollution of state waters, or comply with state water quality standards. At a minimum, the SWPPP must include a narrative that describes how the Permittee determined if flow control BMPs are/are not required. Permittees which choose not to use approved SWMMs or other technical guidance documents approved by Ecology to meet this requirement must include within the SWPPP the technical basis for their chosen BMPs as described in the introductory paragraphs of this section S9.
4. **Erosion and Sediment Control BMPs:** All facilities must evaluate the risk of soil erosion on their site that could contaminate stormwater. At a minimum the SWPPP must include a narrative that describes if there is reasonable potential for soil erosion of a significant amount at the site. Where reasonable potential exists, the Permittee must include BMPs to prevent or minimize the potential for

soil erosion on-site. The SWPPP must document how stormwater BMPs were selected, the performance expected from the BMP being selected and the technical basis that supports the performance claims for the BMPs being selected, and an assessment of how the selected BMP will reduce the potential for soil erosion.

Permittees which choose to follow the stormwater management practices contained in approved stormwater management manuals, including the proper selection, implementation, and maintenance of appropriate best management practices are presumed to have satisfied this demonstration requirement and do not need to include within the Stormwater Pollution Prevention Plan the technical basis which support the performance claims for the BMPs being used. The proper use and selection of approved stormwater management manuals is outlined in S9.A.5.